

S.B. Cr. Bail Application No. 5595/2007
(Ganesh Vs. State of Rajasthan)

Date of order : 15.11.2007

HON'BLE MR.H.R.PANWAR,J.

Mr. Mridul Jain for the petitioner.

Mr. Ashok Upadhyay, P.P.

Heard learned counsel for the petitioner and public prosecutor for the State. Perused the order impugned.

It is contended by learned counsel for the petitioner that there is no allegation of rape against the present petitioner.

Learned public prosecutor opposed the bail application.

On careful perusal of the statement of the prosecutrix, aged 16 years, it appears that she was forcibly taken in Indica Car. The petitioner was said to have been armed with gun and it was he who picked up the victim, pushed her in the Car and tied her with the seat of the car and set with her with the gun threatening her and ultimately she was taken to co-accused Pankaj Pandya and other persons and subsequently it is alleged that she has been subjected to gang rap.

Keeping in view the serious allegation against the present petitioner, in my view, it is not a fit case to release the petitioner on bail. The bail application filed by the petitioner under Section 439 Cr.P.C. is therefore, dismissed.

(H.R.PANWAR), J.

rp